

Final Generic Environmental Impact Statement

- ▶ *Summary*
- ▶ *Comments on Draft
Generic Environmental
Impact Statement*
- ▶ *Summary of Findings*
- ▶ *Appendix*
 - ▶ State & Federal
Comments
 - ▶ Local Comments
 - ▶ Proposed Management
Structure
 - ▶ Revised Text: Braddock
Bay Habitat

Location: Town of Greece, Monroe County, New York

Lead Agency: Town Board, Town of Greece

Address: Town of Greece
1 Vince Tofany Drive
Rochester, New York 14616

Contact Person: Ron Sassone, A.I.C.P., Town of Greece

Telephone Number: (716) 723-2343

Principal Preparer: Don Naetzker, Principal
The Cavendish Partnership
80 St. Paul Street
Rochester, New York 14604

Telephone Number: (716) 454-2080

Date of Acceptance: June 20, 2000

TABLE OF CONTENTS

▶ Summary	3
▶ Comments on Draft Generic Environmental Impact Statement	4
▶ Summary of Findings	11
▶ Appendix	12
▶ State & Federal Comments	
▶ Local Comments	
▶ Proposed Management Structure	
▶ Revised Text: Braddock Bay Habitat	

Summary

The proposed action involves the adoption of a Local Waterfront Revitalization Program (LWRP) by the Town Board of the Town of Greece. The Town of Greece LWRP is a comprehensive plan for the use and protection of the coastal and inland waterways areas of the Town. Integrated within the LWRP is the Town of Greece Harbor Management Plan. The LWRP should be considered with the Draft and Final Generic Environmental Impact Statement (DGEIS and FGEIS) and consulted for detailed information on the proposed action and environmental characteristics.

This Draft Generic Environmental Impact Statement (DGEIS) was prepared by the Town of Greece to explain the environmental decision making the Town has used in reaching a decision to adopt the Town of Greece LWRP. The DGEIS was accepted by the lead agency on July 20, 1999. Comments were due on September 24, 1999.

The Town's LWRP sets forth policies and project proposals to provide guidance and techniques for the Town to protect, enhance and restore its coastal and inland waterways resources. The LWRP includes specific projects and proposed laws, developed as part of the total plan, to protect important natural and scenic resources, and open space, to expand public access to the waterfront and other recreational opportunities, to preserve important historic and cultural resources, and the further development actions in a way that is consistent with the stated goals and policies of the LWRP.

The anticipated impacts resulting from the implementation of the Draft LWRP should result in positive changes for the coastal area, the inland waterway area, and the Town as a whole. Emphasis is placed throughout the LWRP on developing water enhanced and dependent uses, on providing improved public access and recreation opportunities, enhancing deteriorated areas, and protecting scenic, cultural and environmental resources.

The specific action being evaluated for its environmental impact by the Town Board of the Town of Greece includes the adoption of the Local Waterfront Revitalization Program.

Comments on the Draft Generic Environmental Impact Statement

The following comments were received relative to the Draft Generic Environmental Impact Statement for the Greece LWRP. The comments are organized according to comments received from agencies and the public. Comments have been summarized. Full comments are included in the Appendix.

SUMMARY OF ORAL COMMENTS

The Town of Greece sponsored a Public Meeting to review the Draft Town of Greece LWRP on June 22, 1999. The meeting included a presentation of the Preliminary Draft LWRP, followed by a question and discussion period. The general response was very positive. Concern was expressed over proposed parking for fishing access, maintenance provisions, dredging of channels and water levels.

The parking issue focused primarily on Edgemere Drive. Residents are concerned about fishermen parking along the road, causing congestion and littering. Language in the LWRP has been modified to suggest limiting parking along Edgemere Drive to areas that have suitable room and limited conflict with private properties.

Many residents expressed concern about littering in the ponds and the effects of pollution on water quality. On-going water quality programs are addressing some issues. It is recommended that an educational and awareness program be implemented to address littering. Public access points are recommended to control waterfront activities and to provide litter containers.

The fluctuating water levels of Lake Ontario were noted as a concern by many residents. Residents fronting on Lake Ontario were concerned about the erosion impacts of high water levels. Residents fronting on the Braddock Ponds were concerned about the navigation impacts of low water levels. The LWRP does not address water levels specifically. It does support compliance with New York State shoreline erosion regulations and recommends the implementation of a regional dredging study.

FEDERAL AGENCY COMMENTS

A. UNITED STATES DEPARTMENT OF THE INTERIOR

1. **Comment:** A location map should be included within the document that shows both LWRP areas on a single map.
Response: An additional location map has been added to the final Local Waterfront Revitalization Plan consistent with the comment.
2. **Comment:** A paragraph of text was apparently mis-located on page 45.
Response: The referenced paragraph addressed the wetland characteristics of Braddock Bay. The paragraph was moved from the Habitat section of the inventory chapter to the wetlands section of the chapter.
3. **Comment:** Additional information was requested relative to Federal wetlands within the LWRP boundary.
Response: Mapped Federal wetlands that do not overlap with State wetlands were added to the inventory mapping. Discussion has been added to the LWRP regarding Federal wetlands and that new Federal regulations are expected soon.
4. **Comment:** The existence of Black Tern habitat within the LWRP boundary, the significance of the Black Tern as a "species of concern", and the potential impact of LWRP recommendations on the Black Tern should be noted.

Response: The inventory chapter of the LWRP was modified to acknowledge the existence of the habitat. Recommendations within the LWRP were modified suggesting the habitat issue be addressed within the Braddock Bay Fish & Wildlife Management Area Plan.

5. **Comment:** It was noted that future site specific environmental reviews may be required in addition to this Generic Environmental Impact Statement.

Response: The Town of Greece acknowledges that additional environmental reviews may be required. The DGEIS stated this position within its Summary on page 2.

NEW YORK STATE COMMENTS

A. NYS DEPARTMENT OF STATE

1. **Comment:** The local LWRP boundary should be changed to be consistent with State Coastal Boundary.

Response: The local LWRP boundary has been modified to be consistent with the State Coastal Boundary. The change only affects the Lake Ontario boundary, and not the Erie Canal Boundary. The Lake Ontario LWRP area is slightly larger. Land use recommendations have been expanded to include the new areas.

2. **Comment:** Henpeck Park should be located on maps and exhibits.

Response: The location of Henpeck Park has been accentuated on certain maps and added to others.

3. **Comment:** The Braddock Bay and Salmon Creek habitat narrative should be revised to reflect its designation as a Coastal Fish and Wildlife Habitat of State-wide Significance. The NYS Department of State suggested language to be incorporated into the text.

Response: The LWRP was modified to reflect the recommendations. The text changes have been attached to this Final Environmental Impact Statement (Final EIS) in the Appendix.

4. **Comment:** A question was raised regarding the maintenance of the Long Pond navigation channel.

Response: Consistent with the Draft LWRP, the Town of Greece does not currently dredge the Long Pond channel. The recommendation is that the channel's maintenance should be considered as part of a regional dredging program.

5. **Comment:** Chapter Six is missing an important element, a "Management Structure to Implement the Plan".

Response: The Town of Greece has developed a proposed Management Structure and has included that structure in Chapter Six of the Final LWRP. The proposed structure has been attached to this Final EIS in the Appendix.

6. **Comment:** Chapter Six should have a description of local laws that support the implementation of the LWRP.

Response: A description of local laws that support the implementation of the LWRP has been added to Section Six.

B. NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION

1. **Comment:** Preference should be given to non-structural erosion control methods in order to minimize impacts to or loss of littoral zone.

Response: Policy 13 has been modified to include this recommendation. Policy 17 restates this objective.

2. **Comment:** The number, and area for, docks at the Braddock Bay Marina must not exceed that stated in the January 13, 1983 agreement between the Town of Greece and the NYS Department of Environmental Conservation.

Response: Language was added to the LWRP stating that harbor improvements must be consistent with the Town of Greece's permits and agreements.

3. **Comment:** Structural Hazard Areas should be added to the Coastal Erosion Hazard Areas map.

Response: The Structural Hazard Areas were added to the maps.

4. **Comment:** The LWRP should include a description of local stormwater practices.

Response: The Town of Greece currently subscribes to Monroe County's Best Management Practices for Stormwater Management, implementing the practices through their Site Plan and Subdivision review processes. The Town also references the New York State Guidelines for Erosion and Sediment Control. The United States Environmental Protection Agency is preparing to adopt the Storm Water Phase II Rule and MS4 storm water management program that is intended to improve waterway quality. The program would be implemented locally by either Monroe County or the Town of Greece through a local ordinance. Text has been added to the LWRP outlining these stormwater practice guidelines and programs.

5. **Comment:** The Special Harbor Areas within Braddock Bay are close to their carrying capacities.

Response: It is agreed that the Special Harbor Areas are close to capacity. The designation does not imply expansion, it confirms existing uses and suggests enhancement of existing conditions, including visitor services.

6. **Comment:** A copy of the dock ordinance should be included as an appendix.

Response: No dock ordinance is proposed. The reference to a dock ordinance has been removed from the LWRP.

7. **Comment:** Is the intention of the LWRP to dredge a navigation channel from the Lake Ontario State Parkway to Lake Ontario, within Braddock Bay.

Response: It is not the intention to dredge the entire navigation channel within Braddock Bay. It is recommended that the existing channel be marked to create more user friendly access to upstream marinas and restaurants. The outlet of the channel would continue to require dredging consistent with the NYS Department of Conservation's consent order. A regional dredging plan is being prepared as an independent study.

8. **Comment:** The LWRP appears to conflict itself in that it promotes waterfront use and development but elsewhere recommends low impact activities in similar areas.

Response: The Greece LWRP balances the conflict between waterfront recreation and low impact uses, rather than conflicts. The intention is to promote both the protection of habitat and the enjoyment of the environment. Recommendations for waterfront use and development within sensitive environmental areas would primarily be for interpretive or habitat enhancement purposes.

C. NYS EXECUTIVE OFFICE OF GENERAL SERVICES

1. **Comment:** Additional State Actions & Programs administered by the NYS Office of General Services should be listed as likely to affect implementation.

Response: The additional actions and programs of the NYS Office of General Services have been added to Chapter 7 of the LWRP.

2. **Comment:** Policy 23 could include a reference to the potential for the existence of submerged vessels and artifacts within the LWRP area.

Response: No known submerged vessels or artifacts exist based upon a data base search. Additional explanation has been added to the LWRP suggesting that underwater resources, if found, be protected and/or managed.

D. NYS HISTORIC PRESERVATION OFFICE

1. **Comment:** Inaccurate information is included in the Inventory Chapter regarding Historic Register listed and eligible properties and preservation ordinances.
Response: The statements have been corrected in the LWRP.
2. **Comment:** The New York State Canal System is an important historic resource of National significance. The document should recognize this.
Response: The Canal System is a recognized by the Town as a nationally significant resource. Text has been added to the LWRP in the Inventory Chapter. The planning recommendations for the Town's segment of the Erie Canal recognize its context as an element of a greater New York State system and as a regional tourism draw.
3. **Comment:** There may be archeological resources in the LWRP area that are not "known" and do not appear in the NYS Museum's archeological data base or in SHPO/OPRHP's data base.
Response: Inaccurate text in the Inventory Chapter has been revised in the LWRP.

E. OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

1. **Comment:** No conflicts identified.
Response: No response necessary.

F. NYS CANAL CORPORATION

1. **Comment:** Continue to involve the NYS Canal Corporation in the review of projects and as an involved agency in SEQRA.
Response: The Town of Greece will continue to involve the NYS Canal Corporation in the review of projects, planning recommendations and as a SEQRA involved agency in relevant projects.
2. **Comment:** The Town of Greece should review the Canal Corporation's Signage Design Guidelines.
Response: The Town will obtain a copy of the Guidelines and utilize them in canal development projects.
3. **Comment:** The proposed Canal Corridor Overlay District does not replace or supercede the Canal Corporation's requirements to obtain permits for work on Canal lands.
Response: The Canal Corridor Overlay District is a local land use ordinance that would be applied in addition to, not in place of, any additional permit requirements and approvals.

G. STATE OF NEW YORK DORMITORY AUTHORITY

1. **Comment:** No Comment.
Response: No response necessary.

H. EMPIRE STATE DEVELOPMENT

1. **Comment:** The LWRP conforms with New York State Coastal Policies and supports increased public access. The plan increases recreational activity, opportunities for economic development and business development. Empire State Development supports the approval of the plan.
Response: No response necessary.

I. OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

1. **Comment:** The LWRP does not conflict with Office of Alcoholism and Substance Abuse Services's policies.
Response: No response necessary.

J. NYS GEOLOGICAL SURVEY

1. **Comment:** The LWRP will have a minimum impact on geologic and hydrologic conditions.
Response: No response necessary.

K. OFFICE OF MENTAL HEALTH

1. **Comment:** The LWRP will have no affect on the Office of Mental Health.
Response: No response necessary.

L. NYS UNIVERSITY CONSTRUCTION FUND

1. **Comment:** The NYS University Construction Fund has no comment on the LWRP.
Response: No response necessary.

M. NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

1. **Comment:** The New York State Office of Parks, Recreation and Historic Preservation's (NYS OPRHP) participation in the development of the LWRP should be recognized.
Response: NYS OPRHP was a valuable participant in the development of the LWRP, particularly in regard to the Lake Ontario LWRP Focus Group. Their participation has been noted on the credits page of the LWRP.
2. **Comment:** Include the Hojack Line right of way as valuable resource within the LWRP boundary or waterfront area.
Response: The Hojack Line right of way is a valuable land resource. The linear property presents opportunities for trail connections, open space, utilities and potential future uses. The abandoned portion of the Hojack Line is outside of the LWRP area. The portion of the Line within the boundary is still active.
3. **Comment:** Incorrect description of property ownership is included on page 14 of the Draft LWRP.
Response: The property ownership description has been corrected in the Final LWRP.
4. **Comment:** The abandoned RR spur discussed on page 52 is scheduled for removal as part of the Stutson Street Bridge project.
Response: It is understood that the bridge will be removed. The removal has no implication on the recommendations of the LWRP.
5. **Comment:** NYS OPRHP and the NYS Department of Transportation are jointly sponsoring a Bicycle Study to explore opportunities on the Lake Ontario State Parkway.
Response: The Town of Greece is aware of the study and appreciates being included in its development and review.
6. **Comment:** NYS OPRHP is interested in participating in open space planning activities as recommended in the LWRP.
Response: The Town of Greece will include NYS OPRHP in future open space planning within the LWRP boundaries.
7. **Comment:** NYS OPRHP is interested in participating in the planning and design of the Braddock Bay Natural Heritage Area and Environmental Center as it is described in the LWRP.
Response: The Town of Greece will include NYS OPRHP in future planning for the Area and the Center.

8. **Comment:** Include the Hojack Line trail as a project recommendation in the LWRP.
Response: The Town of Greece intends to further study the Hojack Line as part of an independent project. The Town is preparing to update its Comprehensive Plan and could include study of the Hojack Line as an element of that Plan.

LOCAL PUBLIC COMMENTS

A. GRANDVIEW BEACH ASSOCIATION

1. **Comment:** On-street parking along Edgemere Drive, particularly adjacent to Cranberry Pond, could lead to problems and interfere with private properties.
Response: It is agreed that on-street parking should not be located along Cranberry Pond. Additional study should be performed to assess the formality and number of on-street parking spaces that might be able to be developed on Edgemere Drive adjacent to Long Pond. Text in the LWRP has been changed to reflect this response.
2. **Comment:** Where are Coastal Erosion and Flood Hazard Areas?
Response: The location of Coastal Erosion and Flood Hazard Areas are mapped in the inventory Chapter of the LWRP. More detailed mapping is available through the New York State Department of Environmental Conservation.
3. **Comment:** Does the policy discussion regarding avoiding flood damage to structures by siting them outside of hazard areas apply to new construction or existing?
Response: The discussion refers to new construction. Text in the LWRP has been revised to reflect this response.
4. **Comment:** Alternatives to dredging, such as permanent structures that would promote self-flushing, should be considered.
Response: It is agreed that permanent structural solutions would be preferred over maintenance dredging. Text has been added to the explanation of Policy 35 and to the Project Recommendation for the development of a Dredging Plan reflecting this response.
5. **Comment:** An immediate response system should be developed to address spills of petroleum or hazardous materials into the water.
Response: It is agreed that such a response system should be developed. Text has been added to Policy 36 of the LWRP reflecting this response.
6. **Comment:** Long Pond Channel should be maintained as a navigation channel for safety purposes.
Response: Long Pond Channel is recommended to be part of a regional dredging program. This program is being developed as part of an independent study.
7. **Comment:** Discussion regarding Edgemere Drive streetscape enhancements was not included in the LWRP.
Response: A project recommendation for streetscape improvements was included. Text has been added to specifically discuss improvements such as guard rails and lighting fixtures.

B. CURT ROSSO

1. **Comment:** A market study should be prepared to assess the land use recommendations for the Kodak owned property south of the Erie Canal and for the land proposed as "Business Waterfront District" in the eastern section of the Lake Ontario LWRP boundary.
Response: The land use recommendations for the area south of the Erie Canal calls for the development of a mix of industrial, business, retail, residential and open space use. The recommendations were based upon long term strategies for comprehensive growth, community

needs, surrounding land uses, infrastructure, fiscal stability and environmental protection. Current market conditions were determined not to be a major criteria in determining appropriate land use recommendations. Recommendations were reviewed with, and are being supported by, the land owner who recently completed a detailed market study for the subject lands. The recommended Business Waterfront District in the Lake Ontario Boundary is proposed as an enhanced business environment that recognizes its waterfront location, its sensitive environmental context, its land use context and its proximity to the developing Port of Rochester. The recommendations for this area propose mixing the existing industrial uses with additional light industrial, business, office, retail and open space uses. The proposed land use mix provides greater market flexibility than the existing industrial zoning.

Summary of Findings

Through the environmental review process minor changes were identified that could be incorporated into the Final Town of Greece Local Waterfront Revitalization Plan in order to better avoid potential adverse environmental impacts and result in a better plan. In addition to the proposed mitigating measures identified in the Draft Generic Environmental Impact Statement, the following additional potential mitigating measures and changes were incorporated into the Final LWRP.

- Changes were made to the LWRP Boundary in the Lake Ontario LWRP area.
- Specific reference to the protection of the Black Tern and its habitat was added.
- The inventory Chapter and policy regarding Braddock Bay and Salmon Creek habitats were revised reflecting their designation as a Coastal Fish and Wildlife Habitat of State-wide Significance.
- A proposed Management Structure for Implementing the LWRP was added.
- Procedures for reviewing State and Federal actions were added.
- The recommendation for a dock ordinance was removed.
- A sub-policy was added addressing submerged vessels and underwater historic sites.
- Recommendations regarding on-street parking and streetscape improvements along Edgemere Drive were revised.
- A recommendation was added to develop an immediate response system for petroleum and hazardous material spills.